

A GUIDE TO SERVICES IN THE OFFICE OF

# Arkansas Attorney General Mike Beebe



# Arkansas Attorney General



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Mike Beebe



As your Attorney General, I want to let you know about the many programs and materials available to the public from my office. These materials deal with a variety of subjects from consumer issues and victims' rights to identity theft and child safety.

This guide is intended to provide Arkansans with the knowledge to better protect themselves and their families. If you have any questions concerning the programs or materials described here, please call my office. We're here to help.

Sincerely,

A handwritten signature in black ink that reads "Mike Beebe". The signature is fluid and cursive, with the first name "Mike" written in a more abbreviated, stylized way.

Mike Beebe

A Guide to Services in the  
Office of Arkansas  
Attorney General  
Mike Beebe

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## **OFFICE OVERVIEW:**

The Office of the Attorney General is committed to protecting the interests of all Arkansans. Whether providing crime victims with financial assistance, educating our state's youth on safety issues, or representing Arkansas in a court of law, Mike Beebe and the entire staff of the Attorney General's Office are dedicated to defending the interests of our state.

### **Committed to Public Service**

In addition to the legal services offered by the Attorney General's Office, there are several public-service programs available to Arkansans administered by the Community Relations Division.

- The Crime Victims Reparations Program assists victims of crime by providing financial assistance to eligible individuals or their dependents.
- The Prevention and Education staff offers several education programs, such as "Smart Choices, Better Chances," a juvenile law-education program, and "Keys to Safety," a guide to online safety, child abduction, and runaway issues. These programs are designed to provide information and assistance to children, parents, community groups, and law-enforcement agencies.
- The Arkansas Missing Children Services Program (AMCSP) works to protect the children of our state by serving as a statewide clearinghouse for missing-and-exploited children. The program assists in the recovery of missing

children and educates the public about child-safety issues. AMCSP also serves as the main point of contact between the National Center for Missing and Exploited Children and nonprofit, missing-children organizations in the state.

## **Safeguarding Arkansas Consumers**

The Attorney General's Public Protection Department is responsible for safeguarding the rights of Arkansas consumers and ratepayers as well as helping preserve our state's natural resources. The Department is divided into four divisions:

- The Consumer Protection Division mediates thousands of individual consumer complaints a year, in addition to promoting consumer education. The Division investigates violations of Arkansas law and aggressively prosecutes wrongdoers on behalf of Arkansas citizens.
- The Utilities Division represents the interests of Arkansas ratepayers during policy decisions and rate-making proceedings before the Arkansas Public Service Commission, other state-and federal agencies, and the courts.
- The Antitrust Division protects Arkansans from unlawful restraints on trade and commerce, price discrimination, price fixing, and monopolies. The Division also investigates and prosecutes alleged violations of state and federal antitrust laws to ensure that companies are not limiting competition in ways that can hurt consumers.
- The Environmental Division promotes the health and safety of Arkansans by protecting the environment and providing support to state agencies with environmental missions. Division staff members draft regulations, represent agencies in administrative hearings, participate in settlement negotiations, and prosecute criminal environmental cases.



## **Arkansas' Legal Representative**

Attorney General Beebe and his staff also provide the legal representation for the State of Arkansas. The Attorney General's Civil Department is made up of two divisions solely dedicated to this task.

- The State Agencies Division provides legal representation to the state's boards, commissions, agencies, and various officials.
- The Litigation Division handles a wide variety of lawsuits in both state and federal courts. Many of these lawsuits include challenges to the constitutionality of state statutes.

## **Interpreting Arkansas Laws**

The Opinions Department assists Attorney General Beebe in giving his legal opinion when requested by the Governor, executive department heads, prosecuting attorneys, members of the General Assembly, and other enumerated state officials, on questions of law concerning constitutional and other legal issues. This Department also reviews and certifies all ballot initiatives.

## **Protecting Arkansas' Citizens**

One of the most important roles played by the Attorney General's Office is that of public protector, and the Criminal Department is vital to serving that function. The Department has two divisions working to ensure that convicted criminals pay for their crimes.

- Attorneys in the Criminal Appeals Division argue before the Arkansas Court of Appeals or the Arkansas Supreme Court to see that valid convictions are upheld and that defendants are required to serve their sentences.
- The attorneys of the Habeas Corpus Division defend the constitutionality of valid judgments of conviction in federal court and certain state courts.

## **Fighting Fraud**

The Medicaid Department fights health-care-provider fraud by closely monitoring the industry to ensure the safety of older

Arkansans and other Medicaid recipients. It also works to prevent patient abuse and neglect.

## CONSUMER ISSUES:

### **Identity Theft**

Identity theft, or the stealing of another person's identity, has become a frequent and frightening problem for consumers. It can affect your bank accounts, mobile phone service, and most often, your credit accounts. Identity theft starts through the theft of personal documents like credit cards, driver's licenses, ATM cards, Social Security numbers, telephone calling cards, and other key pieces of an individual's identity.

Arkansas has taken a strong stance in classifying financial identity theft as a class D felony, as well as a violation of the Deceptive Trade Practices Act. If you are a victim of identity theft, you should report it to local law-enforcement officials immediately, as well as to the Attorney General's Office. Victims should also notify credit-reporting agencies of the fraud. For your convenience, a list of credit bureaus is in the back of this guide.



### **Investment Schemes**

Every year, American consumers lose millions in fraudulent investment schemes. Promoters create the illusion of authenticity in a number of ways, either by incorporating, by renting office space, or by issuing stock certificates. Many consumers don't realize that they've been duped until their money is gone.

Before investing your hard-earned money, ask yourself the following questions.

- Is the company I'm investing with registered to sell securities?
- Is it "too late" if I don't invest my money right now?
- Does the investment have a track record?
- Where is my money going?
- Do I have a trustworthy person who can advise me?

## **Telemarketing**

Telemarketing fraud is a problem that affects many Arkansans, and many times, these unscrupulous telemarketers and scam artists particularly target senior citizens. There are ways to avoid becoming a victim of these scams.

One of the best ways to avoid potentially fraudulent calls is to join the Arkansas “Do Not Call” list. To join and learn more, call us toll-free at 1-877-866-8225, or visit our Web site at [www.donotcall.org](http://www.donotcall.org). The Federal Trade Commission (FTC) has recently created the national “Do Not Call” registry that you can join and learn more about by visiting [www.donotcall.gov](http://www.donotcall.gov) or by calling 1-888-382-1222.

Every year, phone scams cost consumers billions of dollars. Be careful when accepting offers, sending money, or giving out personal information over the phone. And if you ever suspect a scam, call the Attorney General’s Office immediately.

## **Sweepstakes**

Many reputable marketers and nonprofit organizations use sweepstakes to promote their products and services. Unfortunately, scam artists have capitalized on the popularity of these legitimate sweepstakes, and consumers throughout the United States are paying the price, literally, when they become a victim of a fraudulent sweepstakes promotion.

The Arkansas Prize Promotion Act protects consumers from fraudulent prize promoters who use direct mail or telemarketing. It requires them to be forthcoming about the odds of winning, the cost of playing, and what you have to do to redeem your prizes. Many unscrupulous individuals will try to avoid disclosing these details in an attempt to persuade you to sign up. If they can’t disclose this information to you, report them to the Attorney General’s Office.

To learn more about sweepstakes fraud, contact the Attorney General’s Office.

## **Travel Scams**

If you’ve ever been tempted to sign up to win a “free” vacation, you might want to think again. While some travel opportunities, sold over the phone or offered through the mail, are legitimate, many are really scams that defraud consumers out of millions each month.

In most cases, the “free” or “bargain-priced” trip you’ve



“won” ends up being full of hidden charges or conditions. When looking for a travel package, it’s best to stay away from contests or giveaways, and stick with a credible travel agent or service.

## **Charity Fraud**

One of the most contemptible forms of fraud is charity fraud. Many scam artists pose as charitable fundraisers. Even legitimate fundraisers should be asked certain questions to ensure that your money is being used for the purposes you intend.

If you want to be truly safe, simply decline all telemarketing pitches for charitable donations. There are always charities in your area that need donations. Contact one of them directly and ask how you can help.

## **Home-Equity Scams**

One of the most common scams aimed at homeowners, particularly the elderly, is the home-equity scam. If you accept a loan based on the equity you have in your home, you may be putting your home at risk. To learn about the various home-equity scams, contact the Attorney General’s Office and ask for a copy of the Arkansas Consumer Fraud Guide.

## **UTILITY/ENVIRONMENTAL ISSUES:**

The Environmental/Utility Division of the Attorney General’s Public Protection Department is responsible for handling consumer questions and complaints about utility and environmental matters.

The Division plays an active role in negotiations with the utility companies and the Arkansas Public Service Commission in helping utility customers resolve billing problems, helping make payment arrangements, or addressing questionable utility practices. This service is especially valuable to consumers who may be on a fixed income.

Just as important, the Division provides aggressive representation of Arkansas utility consumers as a group in rate proceedings, rule-making dockets, and other matters of general interest before the Public Service Commission and other agencies. The Division has saved Arkansas consumers tens of millions of dollars on their utility bills over the last ten years.

Another job of the Division is to protect one of Arkansas' most precious assets, our environment. Our state has been blessed with unspoiled lakes, rivers, mountains, and forests. Arkansas' natural beauty is also one of its greatest tourist attractions. The Division has taken the lead in protecting our state's natural resources and represents the state in important environmental actions before the Arkansas Board of Pollution Control and Ecology, as well as state and federal courts.

## NURSING HOME CARE:

The role of the Attorney General's Medicaid Department is to investigate complaints of abuse, neglect, and exploitation of residents in Arkansas' long-term-care facilities. The Department also investigates and prosecutes medical providers who commit Medicaid fraud.



### **Abuse and Neglect**

The Medicaid Department receives complaints alleging both physical and financial abuse and neglect of residents of long-term-care facilities.

- Physical abuse or neglect is any action or failure to act that causes unreasonable suffering, misery, injury, or harm to an individual. It can include striking or sexually assaulting a patient or withholding necessary and adequate food, physical care, or medical attention.
- Financial abuse includes the misuse of an individual's trust funds to pay for services already being paid for by the Medicaid program or for uses of a patient's funds not authorized by the patient or his or her guardian, trustee, or administrator.

The Medicaid Department may also investigate the physical or financial abuse or neglect of a resident of a health care facility licensed by the Office of Long-Term Care or of a resident of the state-owned Benton Services Center or any Development Centers.

Suspicious of financial or physical abuse or neglect should be reported immediately to the Medicaid Department by calling toll-free 1-866-810-0016.

## **Medicaid Fraud**

Medicaid fraud can occur in a number of ways. Medical providers committing Medicaid fraud may be individuals (such as dentists, physical therapists, or doctors) or institutions (such as a hospitals, nursing homes, ambulance companies, or prescription-drug dispensers).

There are several methods by which a medical provider may attempt Medicaid fraud, including billing for services not rendered, billing for unnecessary services, billing Medicaid and another source for the same service, substituting generic drugs while billing for name-brand drugs, and accepting “kickbacks” or inappropriate gratuities for referring Medicaid clients.

These are violations of various federal and state criminal laws and should be reported to the Medicaid Department by calling toll-free 1-866-810-0016.

## **Choosing a Long-Term-Care Facility**

While interacting with long-term-care facilities to investigate alleged incidents of abuse, neglect, or fraud, the Attorney General’s Medicaid Department has compiled a list of suggestions for Arkansans in the process of choosing such a facility. After the choice has been made, it is suggested that residents and family members continue to evaluate the facility and patient care throughout the resident’s stay.



Senior Arkansans or their family members may want to consider the following:

- Visit the facility and meet the administrator. Visit the facility more than once and at different times of the day (mealtime, nights, weekends);
- Ask to see the facility’s license;

- Review the Office of Long-Term Care's latest survey report on the performance of the nursing home. The survey report is required to be posted at the nursing home and is also available from the Office of Long-Term Care (501-682-8430);
- Inquire about the facility's available services – recreational, rehabilitative, dietary, and medical;
- Look at and talk to the patients. Do they appear to be well-cared for?
- Talk to the staff. Do they display a caring attitude toward the patients?
- Check the surroundings. Is the facility clean and safe?

Medicaid Department  
 Attorney General's Office  
 323 Center Street  
 Little Rock, AR 72201  
[www.ag.state.ar.us](http://www.ag.state.ar.us)  
 (501) 682-7760  
 1-866-810-0016

## **Additional Resources**

Office of Long-Term Care  
 Abuse Complaint Section  
 P.O. Box 8059, Slot 400  
 Little Rock, AR 72203-8059  
 (501) 682-8430

Statewide Long-Term-Care Ombudsman  
 Division of Aging and Adult Services  
 1417 Donaghey Plaza South  
 Little Rock, AR 72201  
 (501) 682-8952

## CHILDREN AND FAMILIES:

Protecting Arkansas' children is one of the Attorney General's highest priorities.

Knowing that education is a vital component in keeping children safe, Attorney General Beebe and his Community Relations

staff offer the "Keys to Safety" and "Smart Choices, Better Chances" programs, which target both elementary and secondary students, providing valuable information for educators and parents.

The objective of "Keys to Safety" is to teach Arkansans how to better protect young people from family/non-family abductions, runaway episodes, child exploitation, and online computer crimes. The "Keys to Safety Parent Guide" is designed to provide tools to aid adults in keeping young people safe. The program also offers a child-identification card. This card provides a way for families to store vital information needed to identify a child in case of an emergency.

"Smart Choices, Better Chances" is an innovative program that brings criminal justice education from the courtroom to the classroom. This nationally recognized program teaches students about specific criminal laws and punishments, taking law education beyond a mere overview of the criminal-justice system.

To receive information about "Smart Choices, Better Chances", "Keys to Safety", or to schedule an educational presentation, call the Community Relations Division at 1-800-448-3014.



### **Child Abduction and Exploitation**

The Arkansas Missing Children Services Program (AMCSP) has as its mission to assist in the recovery of missing children and to educate the public about child-safety issues. AMCSP serves as a central repository of information on missing children and is the main point of contact between the National Center for Missing and Exploited Children and nonprofit, missing-children organizations in the state. If a child is abducted, a family should immediately contact its local law-enforcement agency. Additional information and support may be available through AMCSP (1-800-448-3014), or the National Center for Missing and Exploited Children (1-800-THE-LOST), or the Morgan Nick Foundation (1-877-543-HOPE).

## RESOURCES:

Additional resources may be requested from the Attorney General's Office by directly contacting the appropriate department or by calling (501) 682-2007. Several resources are available on the Attorney General's Web site: [www.ag.state.ar.us](http://www.ag.state.ar.us).

### **Attorney General's Consumer Protection Division**

**(501) 682-2341 or 1-800-482-8982**

- Consumer Fraud Booklet
- A Guide for Seniors Citizens Booklet
- Arkansas Freedom of Information Handbook
- A Consumer's Guide to the Arkansas Lemon Law
- Consumer Tip Sheets (topics include: network marketing, landlord/tenant rights, legal services, small claims court)

### **Attorney General's Community Relations Division**

**(501) 682-1020 or 1-800-448-3014**

- Keys to Safety Brochure
- Keys to Safety Curriculum, Handouts, and Video
- Keys to Safety Parent Guide
- "Code Adam Alert Program" Information Packet
- General Child-Safety Information
- Youth Suicide Prevention Tip Sheets, Classroom Curriculum, and other Resources
- Crime Victims Reparations Program Application
- Crime Victims Reparations Board Annual Report
- Crime Victims Reparations Program Brochure
- "It's Not Your Fault" Rape Prevention Brochure
- Morgan Nick Alert Brochure and Video
- Ten-Eight Newsletter (Quarterly Publication of Law-enforcement Officers)
- Smart Choices, Better Chances Brochure
- Smart Choices, Better Chances Video
- Missing Children Clearinghouse Brochure

### **Attorney General's Ombudsman**

If you're not sure where to direct your question, ask for the Attorney General's ombudsman. The ombudsman can direct you to the appropriate office for your particular needs and answer most questions about the office.

Office of the Attorney General 323 Center Street, Little Rock, AR 72201	(501) 682-2007
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Consumer Protection Division	1-800-482-8982 (TDD)
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Community Relations Division	1-800-448-3014
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Medicaid Department	1-866-810-0016
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Tear out  
and keep  
this card  
near your  
phone.

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